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| THE UNITED STATES OF AMERICA for the use and benefit of J. SCADUTO & SON, INC., Plaintiff, v. LIBERTY MUTUAL INSURANCE CO. and AGENCY CONSTRUCTION CORP., Defendants. | UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK Civil Action No. 08 CV 01885 (GEL) "ECF Case" |
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NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)

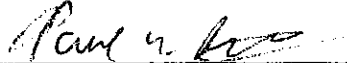
Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff J. Scaduto & Son, Inc., and/or its counsel, hereby give notice that its claims in the above-captioned action against Agency Construction Corp. and Liberty Mutual Insurance Co. are voluntarily dismissed with prejudice, and Plaintiff-in-Counterclaim Agency Construction Corp., and or its counsel, hereby gives notice that its counterclaims in the above-captioned action against J. Scaduto & Son, Inc. are voluntarily dismissed without prejudice. Each party shall be responsible for paying its own costs.

Dated: August 26, 2008

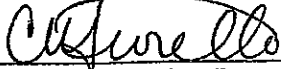
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